

### REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested. Claims 1-12 and 15-27 are presently active in this case, Claims 12, 15-17 and 19 amended, Claims 13 and 14 canceled and Claim 27 added by way of the present amendment.

In the outstanding Office Action the Restriction requirement mailed May 18, 2005 was made final and Claims 1-11 and 21-26 were withdrawn from consideration; Claims 12-20 were rejected under 35 USC section 112, second paragraph; and Claims 12-20 were rejected under 35 USC section 103(a) as being unpatentable over U.S. patent no. 5,767,957 to Barringer et al. in view of US patent no. 6,290,588 to Toyoda et al.

With regard to the rejection under 35 USC section 112, second paragraph, Applicants have amended claim 12 to clarify the structural relationship between the fitting part, the redundant length part and the array part. Specifically, Claim 12 now recites that the fitting part is on a first region of the principal surface, the redundant length part is on a second region of the principal surface, and the array part is located on the main body such that light emitting end faces of the optical connectors are exposed and face away from the second region of the principal surface. Thus, the rejection under 35 USC section 112, second paragraph is believed to be overcome. Further, amended Claim 19 similarly recites the structural relationship of parts and therefore complies with 35 USC section 112, second paragraph.

Turning now to the merits, in order to expedite issuance of a patent in this case Applicants have amended independent Claim 12 to clarify the patentable features of the invention over the cited references. Specifically, Claim 12, as amended, recites that the redundant length handling part includes a plurality of catching members set up on the main body for individually coiling the redundant-length portions of the optical fibers therearound,

and a partition plate having openings through which an upper portion of each of the catching members projects. Thus, Claim 12 has been amended to include structural details of the redundant length handling part of the inspection board.

The Office Action admits that Barringer et al. does not disclose the redundant length handling part,<sup>1</sup> but cites Toyoda et al. as teaching this feature. However, Toyoda discloses a jig for polishing an array part that holds ends of optical fibers used in an optical fiber gyroscope. As seen in Fig. 2 of Toyoda et al., the optical fiber gyroscope 12 includes a fiber coil 12, the ends of which are terminated in an array 34. A polishing apparatus shown in Fig. 7 allows ten coils and their respective arrays to each be placed on a jig 300 such that the arrays can be simultaneously polished on the surface plate 402 of the polishing apparatus. The jig includes a base stand 302 for stacking a plurality of fiber coil reels 100. The fiber coil reel 100 is a reel for winding therearound the optical fiber 10 for constructing the fiber coils 12 of the gyroscope. While the jigs 300 can prevent tangling of the gyroscope optical fibers during polishing,<sup>2</sup> it is completely unrelated to the catching member of the recited claims. That is, the jigs of Toyoda et al. do not meet the catching members and partition plate of the redundant length handling part as now recited in amended Claim 12.

As described in Applicants' specification, the redundant length handling part recited in amended Claim 12 allows the coiled portion R of the redundant-length portion of each optical fiber to be caught around the pin (catching member) 23a and covered over with the flat portion 24d of the partition plate 24, with the upper portion of the pin 23a projecting through the opening 24c beyond the upper face of the flat portion 24d. This allows the redundant length portions of optical fibers to be securely caught around the pins 23a between the main body 21 and the partition plate 24 no matter what orientation the first inspection

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<sup>1</sup> See Office Action at page 3, lines 17-22.

<sup>2</sup> Toyoda et al. at col. 8, lines 35-36.

board 20 may take when it is grasped by its handle 21f and carried. Thus, the redundant-length portions of the optical fibers are advantageously prevented from spreading beyond the redundant length handling part to touch other objects, which can reduce the possibility of the fibers getting broken or scratched.<sup>3</sup> The combination of Barringer et al. and Toyoda et al. simply cannot provide this advantage.

Applicants have also amended Claim 19 to be in independent form and reciting that the fitting part includes a plurality of fitting blocks each having a first opening for fitting one of the optical modules, the main body has a plurality of second openings corresponding to respective ones of the plurality of fitting blocks and formed through the main body from the principal surface to a back surface of the main body, and the fitting blocks are fitted to said fitting part such that the first openings in the fitting blocks each correspond to a second opening in the main body in one to one relation. Thus, Claim 19 recites structural details of the fitting part of the inspection board.

The Office Action cites the holes in the mounting bar 42 and face plate 46 of Barringer et al. as meeting the structural details now recited in Claim 19. However, the hole in the mounting bar 42 is not a “first opening *for fitting one of the optical modules*,” and the hole in the face plate 46 is not “formed *through the main body* from the principal surface to a back surface of the main body.” Indeed, there is nothing in Barringer et al. to suggest that any hole is provided through the main body 73. Thus, the combination of Barringer et al. and Toyoda et al. do not meet the first opening and second opening limitations as these are recited in amended Claim 19. Applicants submit that this configuration allows the wiring cables to enter from a bottom surface of the inspection board so as not to interfere with other components on the top surface of the board. The cited references do not provide this advantage.

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<sup>3</sup> Applicants' specification, page 20, lines 4 to 17.

Even assuming that the combination of Barringer et al and Toyoda et al. can teach all limitations of Claims 12 and 19, Applicants submit that there is no motivation for combining these references. It is well settled that the teaching or suggestion to make a modification or combination of prior art and the reasonable expectation of success must both be found in the prior art, and not based on Applicant's disclosure.<sup>4</sup> Not only is there no suggestion to combine or modify within the cited references, but these references actually point away from a combination to arrive at the present invention. Barringer et al's stated purpose is testing multi fiber optical cables in a fast and accurate way.<sup>5</sup> As noted above, Toyoda et al. stated purpose is to provide a jig for polishing an array part that holds ends of optical fibers used in an optical fiber gyroscope. Thus, the cited references are concerned with entirely different problems in the art. A person of ordinary skill in the art would have no motivation to combine such disparate references. In this regard the Federal Circuit observed that most if not all inventions arise from a combination of old elements, that every element of a claimed invention may often be found in the prior art and that such mere identification in the prior art of each individual part claimed is insufficient to defeat patentability of the whole claimed invention.<sup>6</sup>

For the reasons stated above, independent Claims 12 and 19 patentably define over the cited references, alone or in combination. As claims 15-18 depend from Claim 12 and Claim 20 depends from Claim 19, these claims also patentably define over the cited references.

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<sup>4</sup> *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See Also MPEP 2143.01(I) citing *In re Kotzab*, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also *In re Lee*, 277 F.3d 1338, 1342-44, 61 USPQ2d 1430, 1433-34 (Fed. Cir. 2002) (discussing the importance of relying on objective evidence and making specific factual findings with respect to the motivation to combine references); *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

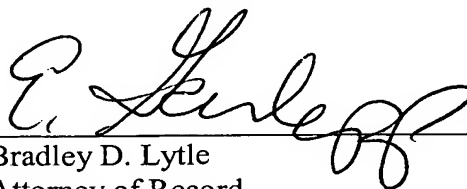
<sup>5</sup> Barringer et al. at col. 1, lines 45-55.

<sup>6</sup> *In re Rouffet* 149 F.3d at 1357, 47 USPQ2d at 1457.

Consequently, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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